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Official Public Records

Tarrant County Texas

2009 Jul 20 08:04 AM

Fee: \$ 24.00

D209192435

Suzanne Henderson

Submitter: SIMPLIFILE

3 Pages

RESERVED FOR ELECTRONIC RECORDING

Suzanne Henderson

*The State of Texas,
County of Tarrant,*

ORIGINAL

Know All Men by These Presents:

AMENDMENT

To

"No Surface Use Oil, Gas and Mineral Lease"
(Change of Description)

WHEREAS, heretofore, under date of February 20, 2009, AZ #3624 Ft. Worth, LLC, whose address is P.O. Box 740396, Dallas, Texas 75374, as Lessor, did execute and deliver unto XTO Energy Inc., whose address is 810 Houston Street, Fort Worth, Texas 76102, as Lessee, a No Surface Use Oil, Gas and Mineral Lease, a Memorandum of which is recorded as Instrument No. D209049258 of the Official Public Records of Tarrant County, Texas, (hereinafter referred to as "said Lease") covering 3.7189 acres, more or less, out of the Mark IV Business Park, an Addition to the City of Fort Worth, Tarrant County, Texas, (hereinafter referred to as "said Land"); and,

WHEREAS, reference to said Lease and to the record thereof being herein made for all purposes; and,

WHEREAS, in Article 1 of said Lease, "Lessor agrees to execute any supplemental instrument requested by Lessee for a more complete or accurate description" of said Land; and

WHEREAS, it is the desire of Lessor and Lessee to amend the description of said Land in said Lease.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned do hereby agree as follows:

1. Amendment: A portion of the legal description of said Lease currently reads as follows:

"3.7189 acres, more or less, described as BEING ALL OF LOT A1A2A-1, BLOCK 33 OF MARK IV BUSINESS PARK, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 1960, and being the same as in that certain Special Warranty Deed dated November 9, 2000, from TruckPro, Inc. as Grantor, to AZ #3624 Ft. Worth, LLC, as Grantee, recorded in Volume 14641, Page 399 of the Official Public Records, Tarrant County, Texas"

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is hereby amended in its entirety to read as follows:

"LOT A1A2A-1, BLOCK 33 OF MARK IV BUSINESS PARK, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 1960, Plat Records, Tarrant County, Texas."

It is understood and agreed by all parties hereto that in all other respects, said Lease and the prior provisions thereto, shall remain in full force and effect and each of the undersigned does hereby ratify and confirm said Lease as hereby amended.

This Amendment shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, legal representatives, successors and assigns.

The failure of one or more parties to execute this instrument shall not in any manner affect the validity and binding effect of same as to the parties who execute said instrument.

IN WITNESS WHEREOF, this Amendment to No Surface Use Oil, Gas and Mineral Lease is executed by the parties hereto on the dates of their respective acknowledgments, but made effective for all purposes as of February 20, 2009.

LESSOR:

AZ #3624 Ft. Worth, LLC

By:



Michael E. Dyer, Trustee of The Dyer Management Trust Dated October 1, 1997, General Partner of Michael E. Dyer Family, LTD, LP, as Sole Member of AZ #3624 Ft. Worth, LLC.

LESSEE:

XTO ENERGY INC.

By:



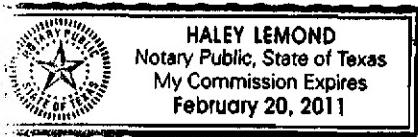
Edwin S. Ryan, Jr.,
Sr. Vice President - Land Administration

ORIGINAL

ACKNOWLEDGMENTS

State of Texas }
County of Tarrant }

This instrument was acknowledged before me on this 19th day of June, 2009, by Michael E. Dyer, Trustee of The Dyer Management Trust Dated October 1, 1997, General Partner of Michael E. Dyer Family, LTD, LP, as Sole Member of AZ #3624 Ft. Worth, LLC.

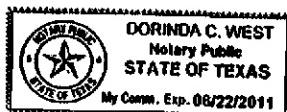


Haley LeMond
Notary Public,
in and for The State of Texas.

(Seal)

State of Texas }
County of Tarrant }

This instrument was acknowledged before me on this 19th day of June, 2009, by Edwin S. Ryan, Jr., Sr. Vice President - Land Administration of XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Dorinda C. West
Notary Public
in and for The State of Texas.

(Seal)

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